

HDP/SB/21' based on PTO/SB/21 (08-00)

AP/IFW

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

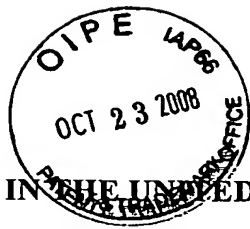
Application Number	10/762,516
Filing Date	January 23, 2004
Inventor(s)	Sang Wood SUH et al.
Group Art Unit	2135
Examiner Name	Suman Debnath
Attorney Docket Number	1740-000042/US

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Letter to the Official Draftsperson and _____ Sheets of Formal Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> LETTER SUBMITTING APPEAL BRIEF AND APPEAL BRIEF (w/clean version of pending claims)  <input type="checkbox"/> Appeal Communication to Group (Notice of Appeal, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>PTO Form 1449</b>		
<table border="1"><tr><td>Remarks</td><td><b>MAIL STOP: AMENDMENT AF</b></td></tr></table>			Remarks	<b>MAIL STOP: AMENDMENT AF</b>
Remarks	<b>MAIL STOP: AMENDMENT AF</b>			

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Terry L. Clark	Reg. No.	32,644
Signature					
Date	October 23, 2008				



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/762,516  
Filing Date: January 23, 2004  
Applicant: Sang Woon SUH et al.  
Group Art Unit: 2135  
Examiner: Suman Debnath  
Title: Recording Medium with Copy Protection Information  
Formed in Intermittent or Alternate Wobbled Pits and  
Apparatus and Methods for Forming, Recording, and  
Reproducing the Recording Medium  
Attorney Docket: 1740-000042/US

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Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314  
**Mail Stop Amendment**

October 23, 2008

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. **LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION**

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form PTO-1449 attached hereto.

II. **COPIES**

A. ☒ Submitted herewith is a legible copy of (i) each foreign patent; (ii) each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the Office; (iii) for each cited pending unpublished U.S. application listed below in Section IV, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and (iv) all other information or that portion which caused it to be listed.

B. ☐ Any patents, publications or other information which are listed on Form PTO-1449 or on the copies of Form PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

C. ☒ Because the present application was/is being filed after June 30, 2003, no copies of the U.S. patents or U.S. patent application publications which are listed on the attached Form PTO-1449 are enclosed pursuant to the waiver of 37 C.F.R. § 1.98(a)(2)(i). Any foreign patent documents or non-patent literature listed on the attached Form PTO-1449 are enclosed herewith.

D. ☐ This is a PCT application in the entry of the National Phase in the United States. A copy of the International Search Report is attached for the Examiner's information. The documents listed on the International Search Report are listed on the attached Form PTO-1449 for consideration by the Examiner and for listing on any patent resulting from this application. Since the International Search Report was from the US, EPO, or JPO search authorities, copies of these references should have been supplied to the USPTO under the trilateral agreement and are believed to be in the file of the above-identified application. (MPEP 1893.03(g))

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

A. ☒ Except as may be indicated below in (B), all of the patents, publications or other information are in the English language (concise explanation not required).

B. ☒ A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)):

1. ☒ See the attached foreign patent office communication from a counterpart foreign application: **Chinese Office Action dated September 1, 2006 (200480000399.8); Chinese Office Action dated July 4, 2008 (200610059757.3); European Office Action dated March 12, 2008 (04 703 529.01 – 1232); European Office Action dated October 29, 2007 (06 001 616.9-1232); European Search Report dated April 2, 2008 (04703277.6-2223); European Search Report dated March 26, 2008 (07018405.6 -2223); European Search Report dated November 7, 2007 (07018289.4 -1232); European Search Report dated September 22, 2006 (06001615.1-2223); European Search Report dated November 24, 2006 (04705015.8 – 2223); European Search Report dated September 22, 2006 (04703531.6-2223); Japanese Office Action dated March 24, 2008 (2006-500637); Japanese Office Action dated August 24, 2007 (2006-500638);**

**Japanese Office Action dated January 16, 2008 (2006-076383);  
Japanese Office Action dated January 16, 2008 (2006-500635);  
Japanese Office Action dated January 16, 2008 (2006-500639);  
Japanese Office Action dated March 17, 2008 (2006-500638);  
Japanese Office Action dated January 16, 2008 (2006-076406);  
Japanese Office Action dated August 20, 2008 (2006-076406);  
International Search Report dated April 28, 2004  
(PCT/KR2004/000081); International Search Report dated May 18,  
2004 (PCT/KR2004/000109); International Search Report dated  
May 6, 2004 (PCT/KR2004/000113); Taiwanese Office Action  
dated July 10, 2007 (09513498); Russia Office Action dated  
January 30, 2007 (2006109209/28(010015)).**

2. ☒ English language abstracts are provided for: **as indicated on the attached PTO Form 1449**
3. ☒ Other: **EP 1031974 is equivalent to EP 1028423 which is not available.**

C. ☒ The following additional information is provided for the Examiner's consideration: **Office Action issued April 11, 2007 in U.S. Appl. No. 10/762,535; Office Action issued April 17, 2007 in U.S. Appl. No. 10/762,538; Office Action issued June 12, 2007 in U.S. Appl. No. 10/762,536; Office Action issued November 15, 2007 in U.S. Appl. No. 10/762,535; Office Action issued November 19, 2007 in U.S. Appl. No. 10/762,536; Office Action issued June 6, 2008 in U.S. Appl. No. 10/762,535; and Office Action issued July 31, 2008 in U.S. Appl. No. 11/898,040.**

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

A. ☐ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

A. ☒ 37 C.F.R. § 1.97(b): (check only one box)

1. ☐ within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. ☐ within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.
3. ☐ before the mailing of a first Office Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
4. ☒ before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

B. ☐ 37 C.F.R. § 1.97(c): (check only one box)

☐ before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).
2. ☐ See the certification below. No fee is required.

C. ☐ 37 C.F.R. § 1.97(d):

☐ after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1. ☐ See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

- A. ☐ each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)). See further statement under 37 C.F.R. § 1.704(d) below in section VII, if applicable; or

- B. ☐ no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).
- C. ☐ Some of the items of information were first cited in a communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. STATEMENT UNDER 37 C.F.R. § 1.704(d)

The undersigned hereby states that:

☐ each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this IDS.

VIII. PAYMENT OF FEES (check only one box)

- A. ☒ No fee is believed to be due in light of the above-noted status or above-provided certification.
- B. ☐ A check in the amount of \$180.00 is enclosed for the above-identified fee.
- C. ☐ Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore, this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

HARNES, DICKEY, & PIERCE, P.L.C.

By



Terry L. Clark, Reg. No. 32,644  
P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

TLC/PXL/dab

Enclosures: ☒ Form PTO-1449s (5 sheets)  
☒ Documents  
☒ Search Reports and Office Actions  
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